



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Art Unit: 1614

GULBINS

Examiner: UNKNOWN

Serial Number: 10/524,815

Confirmation No.: 1995

Filing Date: February 18, 2005

Title: **PROPHYLAXIS AND TREATMENT OF INFECTIOUS DISEASES**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 2 references cited;
- 3) Official Action issued on August 25, 2006 in the counterpart Chinese Application;
- 4) English Translation of the Official Action issued on August 25, 2006 in the parallel Chinese Application; and
- 5) Copy of 1 of the 2 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

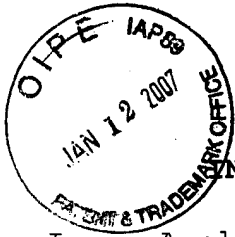
Respectfully submitted,  
**THE NATH LAW GROUP PLLC**

January 12, 2007

By:

Jerald L. Meyer  
Gary M. Nath, Reg. No. 26,965  
Gregory B. Kang, Reg. No. 45,273  
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Customer No. 20529

ct



Attorney Docket No.: 26610U  
Attorney: GMN / GBK / JLM

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

a. ☒ [XXX] The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

b. ☐ [ ] The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

☐ [ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

☐ [ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

c. ☐ [ ] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ [ ] Certification report(e) below; and

☐ [ ] a check in the amount as required by 1.17(p).

d.    ☐        The enclosed statement is being filed pursuant to  
                         37 C.F.R. 1.97(i), for placement in the file.

e.    Certification [Check one]    [Certification is required only  
                         if box (b)(i) or box (c) is checked.]

☐        I hereby certify that each item of information  
                         contained in the enclosed Information Disclosure  
                         Statement was cited in a communication from a  
                         foreign patent office in a counterpart foreign  
                         application not more than three months prior to  
                         the filing of this statement,

or

☐        I hereby certify that no item of information in  
                         the enclosed Information Disclosure Statement  
                         herewith was cited in a communication from a  
                         foreign patent office in a counterpart foreign  
                         application, or, to my knowledge after making  
                         reasonable inquiry, was known to any individual  
                         designated in 37 C.F.R. 1.56(c) more than three  
                         months prior to the filing of this Information  
                         Disclosure Statement.

or

☐        Appropriate certification is attached.

f.    [XXX]        If no check is enclosed and a fee is due in  
                         connection with this communication or if the check  
                         enclosed is insufficient, the Commissioner is  
                         authorized to charge any fee or additional fee due in  
                         connection with this communication to Deposit Account  
                         No. 14-0112.

g.    [XXX]        Copies of the documents are attached herewith  
                         with a completed Form PTO-1449.

or

☐        Copies of the documents are not attached as  
                         allowed under CFR 1.98(d)(1)(2). The earlier  
                         application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached,  
with a completed Form PTO-1449, as allowed in Official  
Gazette Aug. 5, 2003/ Vol. 1273, no. 1.


The Examiner is respectfully requested to cite the  
documents listed on the attached Form PTO-1449 in the next  
Office Action. In so doing, the Examiner is respectfully  
requested to initial in the space adjacent to the listing of  
each document on the Form PTO-1449, and return a copy of the  
initialed Form PTO-1449 with the next communication to  
Applicants, to confirm that these documents have been considered  
by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this  
application, kindly telephone the undersigned at the below-  
listed number.

Respectfully submitted,  
**THE NATH LAW GROUP PLLC**

January 12, 2007

By:

 *Jerald L. Meyer* /sr  
Gary M. Nath, Reg. No. 26,695  
Gregory B. Kang, Reg. No. 45,273  
Jerald L. Meyer, Reg. No. 41,194  
Customer No. 20529

ct



**PTO FORM-1449**  
**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE**  
**CITATION**

In re Application of:  
 GULBINS et al.

Application No:  
 10/524,815

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 February 18, 2005

Examiner: UNKNOWN

Art Unit: 1614

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1	5,373,005	13 Dec 1994	McCann et al.	05 Mar 1993
	A2				
	A3				
	A4				
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				
	A11				
	A12				
	A13				
	A14				
	A15				

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document Number	Publication Date	Country	Translation
	A16				
	A17				
	A18				
	A19				
	A20				
	A21				

**OTHER**

(Including Author, Title, Date, Pertinent Pages, etc.)

	A22	W. Linli, "Clinical Application and Adverse Reaction of Nystatin". <u>China Pharmaceuticals</u> , vol.10:1, pp.58-59, 2001.
	A23	
	A24	

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.